

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
AFOLABI ADEUSI,	:	
	:	19 Cr. 599 (JMF)
Defendant.	:	
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WHEREAS, on or about August 26, 2019, AFOLABI ADEUSI (the “Defendant”), was charged in an eight-count Information, 19 Cr. 599 (JMF) (the “Information”), with conspiracy to commit wire fraud and bank fraud, in violation of Title 18, United States Code, Section 1349 (Count One); wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count Two); bank fraud, in violation of Title 18, United States Code, Sections 1344 and 2 (Count Three); conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h) (Count Four); marriage fraud, in violation of Title 8, United States Code, Section 1325(c) (Count Five); immigration fraud, in violation of Title 18, United States Code, Sections 1546(a) and 2 (Count Six); aiding and abetting use of immigration identification document not lawfully issued to user, in violation of Title 18, United States Code, Sections 1546(b)(1) and 2 (Count Seven); and destruction of records in a federal investigation, in violation of Title 18, United States Code, Section 1519 (Count Eight);

WHEREAS, the Information included, *inter alia*, a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense charged in Count One of the Information, and pursuant to Title 18,

United States Code, Section 982(a)(2)(A), of any and all property constituting, or derived from, proceeds obtained directly or indirectly, as a result of the commission of the offenses charged in Count One of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Information;

WHEREAS, the Information also included a forfeiture allegation as to Count Two of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense charged in Count Two of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count Two of the Information;

WHEREAS, the Information also included a forfeiture allegation as to Count Three of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), of any and all property constituting, or derived from, proceeds obtained directly or indirectly, as a result of the commission of the offenses charged in Count Three of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count Three of the Information;

WHEREAS, the Information also included a forfeiture allegation as to Count Four of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), of any and all property, real and personal, involved in the offense charged in Count Four of the Information, or any property traceable to such property, including but not limited

to a sum of money in United States currency representing the amount of property involved in the offense charged in Count Four of the Information;

WHEREAS, on or about August 26, 2019, the Defendant pled guilty to Counts One through Eight of the Information, pursuant to an agreement with the Government, wherein the Defendant admitted, *inter alia*, the forfeiture allegations with respect to Counts One through Four of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2)(A) and Title 28 United States Code, Section 2461(c), a sum of money equal to \$20,000.00 in United States currency, representing proceeds traceable to the commission of the offenses charged in Counts One through Four of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$20,000.00 in United States currency representing the amount of proceeds traceable to the offenses charged in Counts One through Four of the Information that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One through Four of the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys Dina Y. McLeod and Robert B. Sobelman of counsel, and the Defendant, AFOLABI ADEUSI, and his counsel, Jesse M. Siegel, Esq., that:

1. As a result of the offenses charged in Counts One through Four of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$20,000.00

in United States currency (the “Money Judgment”), representing the amount of proceeds traceable to the offenses charged in Counts One through Four of the Information that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, AFOLABI ADEUSI, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Department of Treasury and delivered by mail to the United States Attorney’s Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew’s Plaza, New York, New York 10007 and shall indicate the Defendant’s name and case number.

4. Upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, and pursuant to Title 21, United States Code, Section 853, the United States Department of Treasury, or its designee shall be authorized to deposit the payment on the Money Judgment into the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney’s Office is authorized to conduct any discovery needed to identify, locate

or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.


7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.


AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

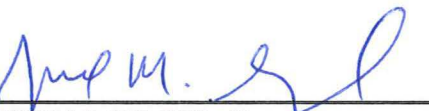
By: 
DINA Y. MCLEOD
ROBERT B. SOBELMAN
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
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5/24/23
DATE

AFOLABI ADEUSI

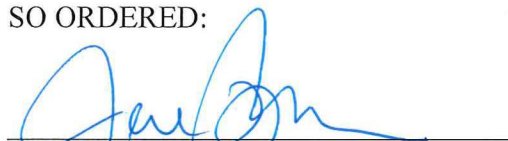
By: 
AFOLABI ADEUSI

05/24/23
DATE

By: 
JESSE M. SIEGEL, Esq.
Attorney for Defendant
223 Broadway, Suite 707
New York, NY 10279

5/24/23
DATE

SO ORDERED:


HONORABLE JESSE M. FURMAN
UNITED STATES DISTRICT JUDGE

5/24/23
DATE